

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An image processing apparatus comprising:  
determining means for determining whether image data to be processed  
includes color space information identifying a color space in which the image data is defined;  
inferring means for determining the color space of the image data that is to be  
processed based on characteristics of the image when the determining means determines that  
the image data does not include color space information identifying the color space; and  
processing means for performing a prescribed processing to the image data on  
the basis of information indicating the color space determined by the inferring ~~means~~means,  
wherein the inferring means: (1) performs conversion processing into another  
color space on data generated on the basis of the image data while assuming that the color  
space of the image data is a color space indicated by each of plural preset items of color space  
candidate information, to thereby obtain plural conversion processing results corresponding to  
the respective items of color space candidate information; (2) presents the plural conversion  
processing results to a user; (3) receives a manipulation of the user of selecting one of the  
plural conversion processing results; and (4) determines the color space of the image data to  
be a color space indicated by color space candidate information that corresponds to the  
conversion processing result selected by the manipulation of the user.
2. (Previously Presented) The image processing apparatus according to claim 1,  
wherein the inferring means determines the color space of the image data by: (1) performing  
image recognition processing to the image data, the image recognition processing including  
recognizing a prescribed image portion of the image data as a predefined object; and (2)

referring to color information that is set in advance as information representing a color of the predefined object recognized by the image recognition processing.

3. (Previously Presented) The image processing apparatus according to claim 1, wherein the inferring means determines the color space of the image data by using appended data that is input together with the image data, the appended data including at least one of information indicating a format of the image data, information including at least one of a date and time of generation of the image data, a date and time of last updating of the image data, and information indicating an editing history of the image data.

4. (Previously Presented) The image processing apparatus according to claim 1, further comprising means for performing, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

5. (Previously Presented) The image processing apparatus according to claim 2, further comprising means for performing, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

6. (Previously Presented) The image processing apparatus according to claim 3, further comprising means for performing, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

7. (Cancelled)

8. (Currently Amended) The image processing apparatus according to ~~claim 7,~~claim 1, wherein the data generated on the basis of the image data is one of the image data and reduced data of the image data.

9. (Original) The image processing apparatus according to claim 2, wherein the color information that is set in advance includes at least one or more of: information indicating a saturation range, information indicating a hue range, and information indicating a target color.

10. (Currently Amended) An image processing apparatus comprising:  
a controller that: (1) determines whether image data to be processed includes color space information identifying a color space in which the image information is defined; (2) determines a color space of the image data that is to be processed based on characteristics of the image data when the controller determines that the image data does not include color space information identifying the color space of the image data; and (3) performs a prescribed processing to the image data on the basis of information indicating the color space that was ~~determined.~~determined.

wherein the controller: (1) performs conversion processing into another color space on data generated on the basis of the image data while assuming that the color space of the image data is a color space indicated by each of plural preset items of color space candidate information, to thereby obtain plural conversion processing results corresponding to the respective items of color space candidate information; (2) presents the plural conversion processing results to a user; (3) receives a manipulation of the user of selecting one of the plural conversion processing results; and (4) determines the color space of the image data to be a color space indicated by color space candidate information that corresponds to the conversion processing result selected by the manipulation of the user.

11. (Previously Presented) The image processing apparatus according to claim 10, wherein the controller determines the color space of the image data by: (1) performing image recognition processing to the image data, the image recognition processing including recognizing a prescribed image portion of the image data as a predefined object; and (2)

referring to color information that is set in advance as information representing a color of the predefined object recognized by the image recognition processing.

12. (Previously Presented) The image processing apparatus according to claim 10, wherein the controller determines the color space of the image data by using appended data that is input together with the image data, the appended data including at least one of information indicating a format of the image data, information including at least one of a date and time of generation of the image data, a date and time of last updating of the image data, and information indicating an editing history of the image data.

13. (Previously Presented) The image processing apparatus according to claim 10, wherein the controller also performs, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

14. (Previously Presented) The image processing apparatus according to claim 11, wherein the controller also performs, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

15. (Previously Presented) The image processing apparatus according to claim 12, wherein the controller also performs, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

16. (Cancelled)

17. (Currently Amended) The image processing apparatus according to ~~claim 16~~, claim 10, wherein the data generated on the basis of the image data is one of the image data and reduced data of the image data.

18. (Original) The image processing apparatus according to claim 11, wherein the color information that is set in advance includes at least one or more of: information indicating a saturation range, information indicating a hue range, and information indicating a target color.

19-26. (Cancelled)

27. (Currently Amended) An image processing method using a computer, comprising the steps of:

determining whether image data to be processed includes color space information identifying a color space in which the image data is defined;

determining a color space of the image data that is to be processed based on characteristics of the image data when the image data is determined to not include color space information; and

performing a prescribed processing to the image data on the basis of information indicating the determined color ~~space~~space,

wherein the step of determining a color space includes: (1) performing conversion processing into another color space on data generated on the basis of the image data while assuming that the color space of the image data is a color space indicated by each of plural preset items of color space candidate information, to thereby obtain plural conversion processing results corresponding to the respective items of color space candidate information; (2) presenting the plural conversion processing results to a user; (3) receiving a manipulation of the user of selecting one of the plural conversion processing results; and (4) employing, as an inference result of the color space of the image data, a color space indicated by color space candidate information that corresponds to the conversion processing result selected by the manipulation of the user.

28. (Previously Presented) The image processing method according to claim 27, wherein the step of determining a color space includes: (1) performing image recognition processing to the image data, the image recognition processing including recognizing a prescribed image portion of the image data as a predefined object; and (2) referring to color information that is set in advance as information representing a color of the predefined object recognized by the image recognition processing.

29. (Previously Presented) The image processing method according to claim 27, wherein the step of determining a color space includes using appended data that is input together with the image data, the appended data including at least one of information indicating a format of the image data, information including at least one of a date and time of generation of the image data, a date and time of last updating of the image data, and information indicating an editing history of the image data.

30. (Previously Presented) The image processing method according to claim 27, further comprising the step of performing, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

31. (Previously Presented) The image processing method according to claim 28, further comprising the step of performing, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

32. (Previously Presented) The image processing method according to claim 29, further comprising the step of performing, on the image data, conversion processing from the determined color space to another color space and for presenting a result of the conversion processing to a user.

33. (Canceled)

34. (Currently Amended) The image processing method according to ~~claim 33,~~claim 27, wherein the data generated on the basis of the image data is one of the image data and reduced data of the image data.

35. (Original) The image processing method according to claim 28, wherein the color information that is set in advance includes at least one or more of: information indicating a saturation range, information indicating a hue range, and information indicating a target color.

36. (Currently Amended) A computer-readable medium storing an image processing program for causing a computer to execute the steps of:

determining whether image data that is to be processed includes color space information identifying a color space in which the image data is defined;

determining a color space of the image data that is to be processed based on characteristics of the image data when the image data is determined to not include color space information; and

performing a prescribed processing to the image data on the basis of information indicating the determined color ~~space~~space.

wherein the step of determining a color space includes: (1) performing conversion processing into another color space on data generated on the basis of the image data while assuming that the color space of the image data is a color space indicated by each of plural preset items of color space candidate information, to thereby obtain plural conversion processing results corresponding to the respective items of color space candidate information; (2) presenting the plural conversion processing results to a user; (3) receiving a manipulation of the user of selecting one of the plural conversion processing results; and (4) employing, as an inference result of the color space of the image data, a color space indicated

by color space candidate information that corresponds to the conversion processing result  
selected by the manipulation of the user.

37-41. (Cancelled)